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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/112,786	07/10/1998	KIA SILVERBROOK	ART42-US	7308

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EXAMINER

YE, LIN

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 12/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/112,786

Applicant(s)

SILVERBROOK, KIA *W*

Examiner

Lin Ye

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 14 August 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The substitute specification filed 8/14/02 has not been entered because it does not conform to 37 CFR 1.125(b) because.

The original specification divided the related applications in to their relevant subject matter (See Pages 546-553). The substitute specification does not- it is merely a “laundry list “ of applications. Such a list adds nothing of value to the specification – instead, it adds confusion. The examiner did not point out this objection to the specification in the first office action. In part, this is because of the technology divisions which were used as discussed above. It is noted that ^{were} the applicant to file a continuation the propriety of this information in the original specification will be revisited.

The marked-up version of the substitute specification does not mention the Applicant deletes the original specification from pages 546-553 which divided the related applications into their relevant subject matter. This is created another confusion to the examiner.

Correction is required.

Response to Amendment

2. Applicant’s arguments filed 8/14/02 have been fully considered but they are not persuasive as to claims 1-10.

For claims 1-10, the applicant argues that the invention as claimed is directed to a digital hand held camera. Gove does not contemplate such an arrangement. However, the only

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place state this arrangement (“a hand held”) is in the preamble of amended claim 1. The preamble does not ^{have weight in} anticipate this claim. In order to give the preamble patentable weight, the preamble must be “essential to point out the invention defined by the claim.” (Kropa v. Robie, 187 F.2d 150, 88 USPQ 478, 481 (CCPA 1951)).

For claim 1, the applicant argues that Gove does not disclose in the one unit an image sensor combined with modification means having an input means for providing modification instructions and an output for printing out the result of the image modified by the modification instructions. The examiner disagrees. The Gove reference discloses in Figure 49, shows imaging PC (one unit) includes an image sensor (CCD 4906) combined with modification (imaging processor 4900) means having an input means for providing modification instructions and an output for printing (print assembly 4909) out the result of the image modified by the modification instructions (See Col. 28, lines 40-59).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

((e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4 and 6-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Gove et al.
U.S. Patent 5,768,609.

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Referring to claim 1, the Gove reference discloses in Figures 1, 29, 47-53, a digital camera system (image PC) has an image sensor (CCD 4906) for sensing an image as shown in Figure 49; modification (image processor 4900) means for modifying said sensed image in accordance with modification instructions input into said camera from an inbuilt input means; and an output means for printing out said modified image (see Col. 28, lines 40-59); Wherein said modification (4900) includes a series of processing elements (a set of processors 100-103) arranged around a central crossbar switch (20) as shown in Figure 2 (See Col. 6, lines 10-24).

Referring to claims 2 and 6, each processor (100-103) includes Arithmetic Logic Unit (ALU) (2902) acting under the control of a microcode store as shown in Figure 29. ALU accepts a series of inputs interconnected and internal crossbar switch (20) to a series of core processing units (12) within ALU (See Col 34, lines 50-67).

Referring to claims 3 and 4, transfer processor (11) includes an internal input and output FIFO (5701) for storing pixel data utilized by processing elements as shown in Figure 57. Processors are interconnected to read and write FIFO for reading and writing pixel data of images (See Col 58, lines 1-2).

Referring to claim 7, core-processing units (12) include at least one of a multiplier (2905) an adder and a barrel shifter (2910) as shown in Figure 29.

Referring to claim 8, ALU (2902) connected number internal registers (2901) for the storage of temporary data as shown in Figure 29 (See Col. 35, lines 11-12).

Referring to claim 9, processing elements (100-103) are further connected to a common data bus (40) for the transfer of pixel data as shown in Figure 2 (See Col. 6, lines 32-33).

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Referring to claim 10, the data bus (171) are interconnected to a data cache (13) which acts as an intermediate cache between processing elements (100-103) and a memory (10) store for storing images as shown in Figure 2 (See Col. 6, lines 30-32).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gove et al. U.S. Patent 5,768,609.

Gove does not show that the processing elements are arranged in a ring and each element is also separately connected to its nearest neighbors, it would have been obvious to incorporate such a design rather than the set of processors parallel connect with crossbar switch used in Gove. Official Notice is taken that doing so would save more space.

Conclusion

7. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Ye whose telephone number is (703) 305-3250. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R Garber can be reached on (703) 305-4929.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231

Or faxed to:

(703) 872-9314


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive,
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

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Lin Ye
December 9, 2002


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
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